

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO. 612 OF 2005
IN
CIVIL APPEAL NO. 60 OF 2004

Indian Institute of Education ..Appellant

V/s

Smt.Parimal d/o.Nathuram Bharatiya & Ors..Respondents

Mr.C.U.Singh for the Appellant.
Mr.P.S.Dani for Respondent No.1.
Mr.Sandesh deshpane for Respondent Nos.2,4 & 8.

CORAM : DR.S.RADHAKRISHNAN, J.

DATE : 26TH JUNE, 2006.

P.C.:

1. Heard the learned Counsel for the Appellant. The learned Counsel for the Respondents sought to contend that the lower Appellate Court had dismissed the Appeal only on the ground of limitation and as such there is no adjudication at all. It appears that even the Hon'ble Supreme Court in the case of **Ratansingh Vs. Vijaysingh and Others, AIR 2001, SC 279** in paragraph No.11 has taken the same view. In view thereof, the learned Counsel for the Appellant seeks leave to withdraw the above Appeal with liberty to file appropriate proceedings before an Appropriate forum. Accordingly, the above Appeal is allowed to be withdrawn with the aforesaid liberty.

:2:

(DR.S.RADHAKRISHNAN, J.)